

The Commonwealth of Massachusetts

ANNUAL REPORT

OF THE

LICENSING BOARD

FOR THE

CITY OF BOSTON

FOR THE

YEAR ENDING NOVEMBER 30, 1925

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The Commonwealth of Massachusetts

1 BEACON STREET, December 1, 1925.

To His Excellency ALVAN T. FULLER, *Governor of the Commonwealth of Massachusetts.*

SIR:—The Licensing Board for the City of Boston respectfully submits its twentieth annual report covering the year ending November 30, 1925.

PERSONNEL OF THE BOARD.

DAVID T. MONTAGUE, *Chairman*, ARTHUR J. SELFRIDGE, MARY E. DRISCOLL, constitute the present Board.

FINANCIAL.

The total revenue for the year ending November 30, 1925 was \$57,613.00. Of this amount \$55,008.00 was from miscellaneous licenses and receipts, and \$2,605.00 was from liquor licenses. Of this latter sum twenty-five per cent. is paid to the Commonwealth. The expenses of the Board during the year were \$33,166.04, an excess of receipts over expenses of \$24,446.96.

LEGISLATION.

During the past year there has been no change in the law relating to the Board or to the licenses granted by it.

LICENSES GRANTED BY THE BOARD.

1. Liquor licenses for medicinal purposes—permitted by Federal Laws.
2. Soft drinks and beverages.
3. Hotels and restaurants.
4. Pool, Billiards and Bowling Alleys.
5. Sale of revolvers.
6. Rooming houses.
7. Employment offices.
8. Sunday sales of fruit, confectionery, ice cream and beverages.
9. Merry-go-rounds, ferris wheels, roller skating, etc.
10. Dancing in hotels and restaurants.
11. Picnic groves and skating rinks.

Total number of applications acted on during the year:

Granted	12,581
Rejected	497

LIQUOR LICENSES.

The Board has granted during the year 202 applications to retail druggists, 9 wholesale fourth-class applications, and 3 applications of the fifth class.

Three classes of liquor licenses may now be issued; third-class retail druggists, fourth-class wholesale druggists or dealers, and fifth-class industrial alcohol.

As is generally known, retail druggists have no right to sell liquors nor alcohol other than denatured, except on the prescription of a registered physician.

The Board of Registration in Pharmacy and the Licensing Board exercise a dual control over retail druggists in that a license for the sale of intoxicating liquors is not granted except to a registered pharmacist and not until the applicant secures from the Pharmacy Board a certificate that he is in its opinion a fit person to receive a liquor license.

SOFT DRINK LICENSES.

In pursuance of Chapter 392 of the Acts of 1922 the Board has granted during the year 2,677 applications for licenses for the sale of soft drinks, so called.

This law provides in substance that all persons except innholders, common victualers, druggists and dealers whose principal business is the sale of groceries or meats, who sell soft drinks to be drunk on the premises, must take out a license therefor.

The majority of these licenses are used in connection with the sale of other articles such as fruit, candy, ice cream, tobacco and periodicals.

INNOLDERS AND COMMON VICTUALERS.

Sixty-eight innholder applications and 2,512 common victualer applications have been granted during the year.

The statutes dealing with innholders and common victualers were passed many years before the light lunch business was conducted as it now is. They refer to providing accommodations and meals for "Strangers and Travelers." A strict construction of these statutes would require that holders of these licenses be prepared at all times to serve meals. The Board has always assumed that all persons furnishing food of any kind to the public must take out a common victualer's license.

The law now permits a licensed innholder or common victualer holding a seven days' license to sell on Sunday to be eaten on the premises or taken therefrom such meals as are usually served by him and cooked on the premises. In view of the changed conditions since the statutes were enacted, would it not be better if innholders and common victualers were allowed to sell on Sunday, not to be consumed on the premises, such food as they are accustomed to sell on week days?

The fee for these licenses is fixed by statute not to exceed five dollars. The largest hotel and the smallest frankfurter stand pay the same fee. In some jurisdictions fees for these licenses are graded with some regard to the character and amount of business done. Would it not be more equitable if some such system were adopted in this commonwealth?

POOL, BILLIARD AND BOWLING ALLEY LICENSES.

The Board has granted 348 applications for licenses to pool and billiard rooms and bowling alleys during the year. Before a billiard or pool license is granted, the applicant agrees that he will not permit minors to play or loiter on the premises. Some of the largest and finest billiard rooms and bowling alleys in the country are located in this city. There have been few complaints of illegal acts on the part of this class of licensees.

FIREARM LICENSES.

In accordance with Chapter 485 of the Acts of 1922, the Board has granted during the year 58 applications for licenses for the sale of firearms.

LODGING HOUSE LICENSES.

The Board has granted 4,128 applications for licenses of this kind during the past year. All rooming houses are required to keep a register. No particular kind of book is required but the register must show the name and address of each guest with the date of arrival and departure and the room occupied. It has taken a long time for the proprietors of these houses to become accustomed to this requirement, and cases still come before the courts and before the Board where registers are not kept in proper form, but most cases of this kind appear to be the result of ignorance or carelessness rather than from intention to evade the law. All applications are investigated by

the police because it enables them to determine the qualifications and responsibility of the applicant, the adaptability of the premises, and to explain the requirements of the license and the manner of keeping the register.

INTELLIGENCE OFFICES.

One hundred and fifty-one applications for licenses for the carrying on of this business have been granted during the year. The Board has established quite comprehensive rules relating to intelligence offices. Questions arising thereunder are usually readily settled and the number of intentional violations of the rules by the licensees brought to the attention of the Board is very few.

The Board has during the past year added one section to its Class 1 Intelligence Office Rules as follows:

4-A. "Intelligence office keepers and applicants for employment may contract in writing for the payment to the intelligence office keeper of a fee in excess of one week's wages, provided that such wages are fifty dollars or more, and provided that the intelligence office keeper has filed with the Licensing Board for its approval, the schedule of fees to be charged under contract for the service rendered. That part of section four governing the fee to be paid by the employe if discharged within six weeks, and that part of section four relative to the refund to be paid by the intelligence office keeper if the employe is discharged within ten days, shall apply to placements under this sub division."

This was done after a hearing at which no opposition was voiced.

The Board has been of the opinion that fraternal, charitable or other organizations maintaining an office or department for the furnishing of employment without charge to either the employer or the employe, were not required under the statute to take out a license as an intelligence office. To the knowledge of the Board this question has never been tested in the courts. The matter came up again this year and the Board requested the opinion of the attorney general and received his opinion to the effect that under the strict wording of the statute, such organizations were required to take out licenses even though no fees were charged.

The Board therefore after a hearing adopted another class of license to be known as Class 3 Free Intelligence Office license, and has established rules for the exercise of the same, which rules are as follows:

RULES RELATING TO INTELLIGENCE OFFICES, CLASS 3.

1. This license shall be known as Class 3, Free Intelligence Office license, for which a fee of two dollars shall be charged.

2. This class of license shall cover all persons, firms, corporations, associations or partnerships where the furnishing of such employment by such persons, firms, etc. is done without charge to either the employer or the employe.

3. Intelligence office keepers under this classification must keep a book or card index record of the business done by them, the record to show the following facts:

1. Date of application.
2. Name of applicant.
3. Address.
4. Kind of employment furnished.
5. Name of employer.
6. Address.
7. Date of placement.

4. Under this license, intelligence office keepers shall not advertise for help to fill vacancies in places where strikes, lockouts or other labor troubles are taking place, unless such advertisement states that such strikes, lockouts or other labor troubles exist at such places. Gen. Laws, Chap. 149, Secs. 21, 22.

5. No intelligence office keeper shall withhold from any applicant for employment the personal written references submitted by such applicant if such applicant requests that they be returned.

6. Under this license no keeper of an intelligence or employment office, either personally or through an agent or employe, shall send any woman or girl to enter (as an inmate or servant) a house of ill-fame or other place resorted to for the purpose of prostitution, the character of which on reasonable inquiry could have been ascertained by him. Gen. Laws, Chap. 272, Sec. 12.

7. Every licensed intelligence office keeper shall post in a conspicuous place a sign with his name and the fact that he is a licensed intelligence office keeper thereon.

8. Applications for licenses shall be filed at the office of the licensing board prior to the first day of May. Such applications shall state the proposed place of occupancy and no license shall be valid or protect the holder thereof in a building or place other than that designated in such license. Licenses may remain in force until the first day of May next succeeding the date of issuance unless sooner revoked. Gen. Laws, Chap. 140, Secs. 202, 203.

9. Licenses may be transferred from one location to another upon application to the licensing board.

10. Licenses issued under these rules may be revoked by the licensing board at pleasure. Gen. Laws, Chap. 140, Sec. 42.

11. Records kept by intelligence office keepers shall be open at all times to the inspection of the licensing board or to any person designated by it when authorized in writing.

SUNDAY SALES OF ICE CREAM, SODA WATER, CONFECTIONERY OR FRUIT.

The Board has granted 2,415 applications of the so-called Sunday licenses during the year which permit the licensing of any reputable person who on secular days sells ice cream, confectionery, soda water or fruit. These licenses are frequently granted to persons who on week days sell other food products, but under the Sunday license, no food articles except ice cream, confectionery, soda water or fruit can be sold. This law is very difficult of enforcement because many licensees do not understand why they cannot sell other food products. It is also extremely difficult to make the customers understand that the holder of a Sunday license cannot legally sell them bread, cake or other similar food products as well as ice cream, confectionery, soda water or fruit.

Changed conditions in the community render the sale of food products on Sunday of increasing importance. The board does not suggest that the law be changed so that all food products may be sold on Sunday but it does suggest that the law might in its opinion be made somewhat more liberal without harm to the community.

MERRY-GO-ROUNDS, FERRIS WHEELS, ETC.

A considerable number of licenses for merry-go-rounds and ferris wheels were sought, especially in connection with carnivals, and many of these requests were in behalf of entirely worthy objects with whose efforts to raise money the board is in entire sympathy. But the city authorities and many citizens were united in the opinion that the net result did not make for the welfare of the community. This is the opinion of the board.

DANCE LICENSES.

The Board grants permits for dancing to such hotels and restaurants as it deems suitable. Police reports upon the conduct of the various places to which permits have been issued are received, also reports from citizens and from various associations.

PICNIC GROUNDS.

No complaints as to conduct in those licensed have been received.

RECOMMENDATION FOR LEGISLATION.

During the past year it was called to the attention of the Board that through some oversight the words "intelligence offices" were left out in line 14 of Sect. 202 of Chap. 140, General Laws. In consequence of this omission there is an apparent conflict as to who shall sign these licenses. The Board recommends and herewith presents a bill to the effect that said Sect. 202 be amended.

The Board has endeavored for some time to find some official who could give it authority to destroy certain old records which have accumulated since 1906 which occupy needed space and which appear to be of no value at the present time. There is apparently no official vested with such authority and it is suggested by the State Department of Administration and Finance that the Board seek authority from the legislature to dispose of such old records. The Board consequently recommends that an act be passed giving it authority from time to time to destroy records deemed by it unnecessary if the same have been kept at least five years and herewith presents a bill to that effect.

The salary of the secretary of the Board is fixed by legislature. He now receives \$3000 a year; the salary has not been increased since 1913; he has served the Board since 1906. The actual work of the Board, its secretary and other employes is greater because of the addition of new kinds of licenses and the great increase in the number of licenses now granted by the Board. The secretary keeps and has charge of the records of the Board, is the administrative head of the office, and attends to the numerous details involved, all of which demand an experienced and competent man. The present secretary from his long service, his familiarity with the work and his efficiency, renders services that are invaluable to the Board. The Board feels that its secretary should receive a salary of \$4000 a year, recommends that an act be passed by the legislature fixing his salary at that sum, and herewith presents a bill to that effect.

GENERAL MATTERS.

The work of the Board has proceeded harmoniously. It expresses its appreciation of the faithful and efficient service rendered by its secretary and clerks. The relations of the Board with the police, Health Department and the Federal authorities have been cordial and harmonious.

Most of the complaints for violation of law or of the terms of a license and most of the investigations required by the Board are made by the police. The Board appreciates the difficulties encountered by the police in securing evidence of violation of the laws, and commends their diligence, fairness and ability in presenting the cases to the Board.

DAVID T. MONTAGUE,
ARTHUR J. SELFRIDGE,
MARY E. DRISCOLL,

Licensing Board for the City of Boston.

APPENDIX.

COMPLAINTS.

KIND OF LICENSE.	Number of Licenses	Action taken.
Third-class druggists . . .	1	Revoked.
Third-class druggists . . .	1	Suspended 2 weeks.
Third-class druggists . . .	11	Placed on file.
Third-class druggists . . .	1	Rejected after hearing.
Innholders	1	Revoked (sentence suspended).
Innholders	6	Placed on file.
Innholders	2	Rejected after hearing.
Innholders	4	Dismissed.
Innholders	3	Restrictions imposed.
Common victualers	74	Revoked.
Common victualers	25	Revoked (sentence suspended).
Common victualers	1	Suspended 2 months.
Common victualers	2	Suspended 1 month.
Common victualers	9	Suspended 2 weeks.
Common victualers	1	Suspended 10 days.
Common victualers	14	Suspended 1 week.
Common victualers	9	Suspended 3 days.
Common victualers	4	Suspended 2 days.
Common victualers	1	Suspended 1 day.
Common victualers	3	Suspended indefinitely.
Common victualers	1	Suspended balance of license year.
Common victualers	2	Suspended complaint Board Health
Common victualers	68	Placed on file.
Common victualers	37	Granted after hearing.
Common victualers	55	Rejected after hearing.
Common victualers	23	Dismissed.
Common victualers	1	Withdrawn.
Common victualers	5	Restrictions imposed.
Common victualers	12	Miscellaneous.
Fruit, etc.	31	Revoked.
Fruit, etc.	15	Revoked (sentence suspended).
Fruit, etc.	5	Suspended 1 month.
Fruit, etc.	5	Suspended 2 weeks.
Fruit, etc.	1	Suspended 10 days.
Fruit, etc.	9	Suspended 1 week.
Fruit, etc.	1	Suspended 3 days.
Fruit, etc.	1	Suspended 2 days.
Fruit, etc.	4	Suspended balance of license year.
Fruit, etc.	49	Placed on file.
Fruit, etc.	56	Granted after hearing.
Fruit, etc.	21	Rejected after hearing.
Fruit, etc.	3	Dismissed.
Fruit, etc.	1	Withdrawn.
Fruit, etc.	2	Restrictions imposed.
Fruit, etc.	4	Miscellaneous.
Billiard and Pool	9	Revoked.
Billiard and Pool	1	Revoked (sentence suspended).
Billiard and Pool	2	Suspended 2 weeks.
Billiard and Pool	3	Suspended 1 week.
Billiard and Pool	6	Placed on file.
Billiard and Pool	12	Granted after hearing.
Billiard and Pool	12	Rejected after hearing.
Billiard and Pool	2	Dismissed.
Billiard and Pool	1	Restrictions imposed.
Billiard and Pool	1	Miscellaneous.
Lodging houses	40	Revoked.
Lodging houses	17	Revoked (sentence suspended).
Lodging houses	1	Suspended 1 week.
Lodging houses	68	Placed on file.

Lodging houses	4	Granted after hearing.
Lodging houses	4	Rejected after hearing.
Lodging houses	33	Dismissed.
Lodging houses	4	Restrictions imposed.
Lodging houses	2	Miscellaneous.
Soft drinks	49	Revoked.
Soft drinks	17	Revoked (sentence suspended).
Soft drinks	1	Suspended 3 months.
Soft drinks	1	Suspended 2 months.
Soft drinks	6	Suspended 1 month.
Soft drinks	1	Suspended 3 weeks.
Soft drinks	8	Suspended 2 weeks.
Soft drinks	1	Suspended 10 days.
Soft drinks	13	Suspended 1 week.
Soft drinks	4	Suspended 3 days.
Soft drinks	1	Suspended 2 days.
Soft drinks	5	Suspended balance of license year.
Soft drinks	64	Placed on file.
Soft drinks	33	Granted after hearing.
Soft drinks	17	Rejected after hearing.
Soft drinks	6	Dismissed.
Soft drinks	2	Withdrawn.
Soft drinks	3	Restrictions imposed.
Soft drinks	8	Miscellaneous.
Intelligence offices	2	Granted after hearing.
Intelligence offices	1	Dismissed.
Intelligence offices	5	Miscellaneous.

1,055

LIQUOR.

The following is a classified list of the licenses in force Nov. 30, 1925:—

Fourth-class dealer,	4
Fourth-class druggist,	4
Fifth-class license,	2
Third-class druggist,	184

Number of Licenses Issued and Amount paid into the Treasury from Dec. 1, 1924, to Dec. 1, 1925.

4 fourth-class dealers, at \$300	\$1,200 00
1 fourth-class dealer, at \$220	220 00
4 fourth-class druggists, at \$300	1,200 00
202 third-class druggists, at \$1	202 00
3 fifth-class licenses, at \$1	3 00
Total	\$2,825 00
Refunds granted	220 00
Total revenue for liquor licenses	\$2,605 00

TABLE 1.—COMMON VICTUALERS AND INNHOLDERS.

<i>Common Victualers.</i>		
Applications granted		2,512
Places licensed		1,962
Canceled:		
Surrendered 369		
For nonpayment 107		476
Rejected		194
Revoked		74
Transferred		78
Withdrawn		4
Suspended		47
Fees collected		\$12,000 00

Of the licenses granted, 5 were for lunch carts which are in actual operation.

Innholders.

Applications granted	68	
Places licensed	63	
Canceled: Surrendered	5	
Fees collected		340 00

The fee fixed by Statute is not to exceed \$5.

TABLE 2.—BILLIARD, POOL AND SIPPIC TABLES AND BOWLING ALLEYS.

Applications granted	307	
Clubs	41	
		348
Places licensed	258	
Places licensed (club)	38	
Canceled:		
Surrendered 23		
For nonpayment ¹ 7	30	
Rejected	24	
Revoked	9	
Transfers rejected	3	
Transferred	14	
Withdrawn	9	
Suspended	4	
Additional ²	14	

Number of Tables and Alleys.

Billiards	390	
Pool	1,339	
Bowling alleys	727	
Canceled for nonpayment	54	
7 licenses for 54 tables and alleys.		
1 license unpaid, \$10.		
Fees collected ³		12,125 00

The fee established by the Board is \$5 for each table and alley.

¹ 4 Public, 2 clubs, 1 additional.

² 2 additional licenses granted to a club.

³ Unpaid license of 1924, \$125 collected.

TABLE 3.—INTELLIGENCE OFFICES.

Applications granted	151	
Places licensed ¹	140	
Canceled:	8	
Surrendered 2 Class 1		
1 Class 2		
Nonpayment 3 Class 1		
2 Class 2		
Rejected	1	
Transfers granted	10	
Transfers rejected	1	
Unpaid 2, \$105.		
Fees collected		7,680 00
Of the applications granted:		
66 were first class, \$4,950.		
78 were second class, \$2,730.		

The fee established by the Board is \$75 for a first-class license and \$35 for a second-class license.

¹ 11 licensed places hold two classes of licenses.

TABLE 4.—PICNIC GROVES.

Applications granted	3	
Places licensed	3	
Fees collected		15 00
The fee established by the Board is \$5.		

TABLE 5.—SUNDAY SALE OF ICE CREAM, CONFECTIONERY, SODA WATER OR FRUIT.

Applications granted		2,415	
Places licensed		2,056	
Canceled:			
Surrendered	244		
For nonpayment	80		324
Rejected ¹			132
Transferred			67
Transfers rejected			3
Withdrawn			68
Revoked ²			31
Suspended			26
Fees collected			11,650 00
The fee fixed by Statute is not to exceed \$5.			

¹ 4 reconsidered and rejected (unpaid).² 1 reconsidered and revoked (unpaid).

TABLE 6.—LODGING HOUSES.

Applications granted		4,128	
Places licensed		3,547	
Canceled:			
Surrendered	449		
For nonpayment	92		541
Rejected			35
Revoked			40
Transferred			149
Withdrawn			3
Suspended			1
Fees collected			8,052 00
The fee established by the city \$2.			

TABLE 7.—MERRY-GO-ROUND, FERRIS WHEELS, ETC.

Applications granted	6	
Places licensed	4	
Fees collected		44 00
The fee established by the Board is \$1 for each class for each day licensed.		

TABLE 8.—RETAIL VENDORS OF SOFT DRINKS.

Applications granted		2,677	
Places licensed		2,302	
Canceled:			
Surrendered	241		
For nonpayment	81		322
Rejected ¹			109
Suspended			50
Revoked ²			49
Transfers granted			68
Transfers rejected			4
Withdrawn			89
Fees collected			2,593 00
The fee is established by law, not to exceed \$1.			

¹ 2 reconsidered and rejected (paid).² 2 reconsidered and rejected (unpaid).² 1 reconsidered and revoked (unpaid).

TABLE 9.—FIREARMS.

Applications granted	58	
Places licensed	58	
Transferred	2	
Rejected	2	
Fees collected		290 00

The fee established by the Board is \$5.

TABLE 10.—SKATING RINKS.

Applications granted	1	
Places licensed	1	
Fees collected		5 00

TABLE 11.—MISCELLANEOUS RECEIPTS.

Recording fees	214 00
Total amount received and paid into the treasury on account of miscellaneous licenses and receipts	\$55,008 00

TABLE 12.—HOLDERS OF LICENSES ARRANGED ACCORDING TO NATIVITY.

	Lodging Houses	Common Victualers	Innholders	Retail Vendors of Soft Drinks	Fruit Ice Cream, Firearms etc.	
Albanian	2	21	—	59	53	—
American	1904	972	77	675	543	16
Arabian	—	2	—	—	—	—
Armenian	22	37	—	155	160	—
Assyrian	2	1	—	—	—	—
Austrian	14	24	—	16	17	—
Belgian	8	1	—	1	1	—
Canadian	680	93	—	60	65	—
Czecho Slav	1	—	—	—	—	—
Chinese	—	36	—	3	2	—
Danish	1	3	—	3	1	—
Dutch	5	3	—	—	1	—
Egyptian	—	—	—	—	—	—
English	156	29	2	39	42	2
Finlander	5	1	—	—	—	—
Filipino	—	1	—	—	—	—
French	50	13	3	6	4	—
German	40	42	—	23	21	1
Greek	38	354	—	223	218	—
Hebrew	—	—	—	38	51	—
Hungarian	—	2	—	2	1	—
Irish	635	116	2	194	153	—
Italian	30	254	5	569	526	5
Japanese	2	3	—	—	—	—
Lettish	—	—	—	1	—	—
Lithuanian	5	13	—	20	28	1
Norwegian	10	3	—	3	6	—
Polish	54	34	—	59	59	1
Porto Rican	1	—	—	—	—	—
Portuguese	37	19	—	13	11	—
Roumanian	1	5	—	1	2	—
Russian	65	358	1	494	472	37
Scotch	60	12	—	12	11	1
So. American	1	—	—	—	—	—
Spanish	2	8	—	—	—	—
Swedish	90	22	—	6	3	—
Swiss	3	1	—	3	—	—
Syrian	152	49	—	104	98	—
Turkish	1	9	—	7	8	—
Ukrainian	1	2	—	1	1	—
Welch	1	—	—	—	—	—
West Indian	25	4	—	4	3	—
	4104	2547	90	2794	2561	64

EXPENDITURES FROM DEC. 1, 1924 TO DEC. 1, 1925.

Personal Service.

Commissioners, Secretary and Permanent employes	\$24,750 12
Temporary employes	631 81

Services Other than Personal.

Printing and binding	86 15
Light	613 03
Rent	4,500 00
Communication	264 95
Cleaning	8 08
Fees	679 59
General plant repairs	60 37

Equipment.

Library	31 25
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Supplies.

Office	1,497 69
Food and ice	43 00
Total	<u>\$33,166 04</u>